

BOARD OF SELECTMEN

April 12, 2011

Minutes

The Board of Selectmen met on Tuesday, April 12, 2011 in the Town Hall Clark Room. Those present were Selectmen John D. Williams, Douglas A. G. Stevenson, William R. Tice, Jr., Peter Scavongelli, and John Gorecki. Town Administrator Timothy D. Goddard was also present.

Mr. Williams thanked those who attended the Special Town Meeting. He said there were approximately 309 people at the meeting which turned out to be a very productive meeting. He wanted to thank Mr. Michael Fitzgerald who was the Town Moderator for the Special Town Meeting.

The Agenda was slightly different this evening. The Town Administrator's Report was moved to the end of the meeting.

Interim Police Chief Wetherbee – Status Report

Interim Police Chief Leonard Wetherbee was present to give the Board of Selectmen an update on matters at the Police Department. He said things were going very well. Chief Wetherbee said the Carlisle Police continue to give a high level of response as they look at strategy work within the department. He said they are trying to be more efficient with their time and resources. Chief Wetherbee then spoke about the accreditation, which is a certification process. He said it is moving along faster than he thought. At first he thought it would take 12 months to complete this process, but now it seems like it may take only 6 months. In regard to the financials; he said the Town Hall staff has been very helpful to him with this matter. He has gone over his figures with Lt. Leo Crowe in regard to capital needs and they actually took a few items off the list.

Chief Wetherbee talked about ideas to make the parking lot safer for visitors who come to the Police Station. He said their goal is to be in great condition when the new chief comes on board.

Chief Wetherbee said he has enjoyed working with the Carlisle police officers.

Mr. Tice brought up safety issues with bicyclists. The Chief said it was important to share the road.

Energy Task Force – Proposed Solar Zoning Bylaw

Building Commission John Luther was present for this discussion. He said the Energy Task Force has a Public Hearing before the Planning Board on April 25th to make a presentation to the public. John said if there was to be a solar facility in the Town of Carlisle the best place for it would be the Transfer Station. He said this is an excellent choice because it is a town-owned land. Mr. Tice asked if this has any relevance to a resident having a solar facility, and John replied that this is only for commercial.

Mr. Stevenson asked about where it would be placed and if it could be seen from the street. John gave a brief explanation as to how it would be set up and the distance from the street with screening. He said they still have to follow all the rules for the wet-lands. The Green Community's Act allows for this to be an expedited permit process. John L. said their idea of an expedited permitting process is one year. In regard to the Green Community benefits, John L. said having a Solar Bylaw will make the town eligible for funds for future green projects. He said this is for commercial use only. An applicant would need to go through a site plan review with the Board of Selectmen and Planning Board. In regard to the Site Plan review, David Freedman from

the Planning Board spoke to the Board regarding the difference in the process for the Solar Energy Bylaw. He said instead of the hearing closing at the end of 45 days it would have to close at the end of 100 days. Mr. Williams said we worked so hard on the Site Plan review process that we created; we should try to adhere to same. Mr. Freedman said it does not change the Site Plan Bylaw, it just changes it for this one instance, and this is the way it is done.

Mr. Stevenson asked about the funds that we may see from this process of a solar facility, who will they be delivered to? John said they are creative initiatives and are given to Town Treasurer Larry Barton.

Joint Meeting with CCHS School Building Committee

Louis Salemy and Carla Johnson from the CCHS School Building Committee were present for this presentation and discussion.

Louis said in 2009 the Town approved the Master Plan for the Concord-Carlisle High School. He said it was the best money the Town ever spent, which was about \$250,000. In May of 2010 the Feasibility Study and Schematic Designs were approved. He showed a timeline, and he said getting a project manager and OPM took forever. However, right now they are working on the Feasibility Study Project Goals. He said he has the best team working on this project. What they are working on now is efficiency, and consistency. Louis said EdSpecs are what drives the building. There is 1300 more sq. ft. than before for special education.

Karla spoke about design approaches. There were a few diagrams with options. She said #1 was a 'no build', that was just repairs and it brought the building up to codes in 38 months; #4 was a major renovations of parts of the existing building and add-ons with another story which would take 46 months; #6 was like the Master Plan, it had a 3 story addition and a lengthy construction time; #10 was a one-step new building, which would take 32 months. In regard to No. 10, the construction would occur off to the side, and it would take less time.

In reply to Mr. Stevenson as to which one are they recommending, Louis said they are looking at all of the options above, however they are deliberating. He said renovating is cheaper, but a new Building is easier when it comes to phasing.

In reply to Mr. Scavongelli, Louis said a new building receive does not receive a higher match than a renovation project. Louis said the cost per sq. ft. was in the \$200 to \$220 range.

Mr. Williams asked why we wouldn't build a school that was 25,000 or 27,000 sq. ft. smaller as the MSBA said. Louis said because the current curriculum is built around the other size and then they would have to cut teachers and programs. Louis said a brand new school makes sense.

Mr. Tice said the challenge here is really balancing all of these things. He said that is a tough thing to do when it comes to the phasing affect on the students versus cutting back on space which will impact programs and staff. He said as we go through this money thing we have to be very careful not to loose sight of the big picture in terms of what we are trying to maintain in the High School.

Discussion – Comcast License Renewal Process

Mr. Tice said this discussion is about where we are with the Comcast contract renewal negotiations. He said our contract expires in October 2011. The Committee's intent is to hold a Public Hearing at the next meeting. At that time, he said Comcast will hopefully agree to the contract. Mr. Tice said Comcast has the current draft of the Contract. He said he is hoping they will agree to everything he will discuss tonight with the Board. Mr. Tice said the other members on the Cable Advisory Committee beside himself were Justin Romeo and Michael Tattersall.

Mr. Tice said this will be a ten-year, non-exclusive cable renewal license. That means we are not keeping anyone outside of the Town. He said they have explored Verizon, but they are not interested.

The two key elements the Town gets out of this are the support fees and the capital. Mr. Tice explained there is a Federal limit of 5%. He said currently the Town receives 3% of Gross annual revenues, the proposed License provides for 3.75% in Year One and thereafter for the next nine (9) years 4.80% of Gross Annual Revenues, paid quarterly.

In regard to Capital Support for PEG Access, the Town currently receives \$40,000 per year. The proposed license allows for \$9,000 per year for 10 years for a total of \$90,000.

The Town currently has two PEG Access channels. The proposed license has three PEG Access Channels.

He spoke about Video Return of live PEG access Programming.

Mr. Tice said the Cable System extension will stay the same.

Cable Service to Public/School Buildings is still being finalized [Basic and Expanded Basic Service], but the Committee is prepared to accept the commitment to expanded Basic Service (or its equivalent) in a clearly Worded definitive side letter from Comcast applicable for the License term.

Mr. Tice said he has met with Comcast and they have this contract. Hopefully they will agree to these terms. He said our Government representative Tim Kelly seemed agreeable but it still has to go through reviews and approvals. Hopefully by the next meeting it will be ready for signatures.

David McKie from West Road said every year his cable bill goes up. He wanted to know why Verizon isn't in our Town. Mr. Tice said the answer is Verizon would rather go to a bigger municipality than come to a small town; there is not enough money.

Review of Final Annual Town Meeting Warrant

Mr. Goddard said this is the final Warrant that is being published. He asked if the Board was interested in taking positions on the Articles this evening or perhaps on April 26th.

Mr. Goddard went through Articles 1 through 9 and the Board did not hold out any for discussion.

Article 1 Consent Agenda

Article 2 Town Reports

Article 3 Salaries of Elected Officials

Article 4 Revaluation

Article 5 Actuarial Valuation of Post-Employment Benefits

Article 6 Department Revolving Funds Authorization

Article 7 Real Estate Tax Exemption

Article 8 Fiscal Year 2012 Reserve for Debt Service – MSBA Transfer

Article 9 FY201 Chapter 90 Authorization

Article 10 FY 2011 Budget Transfers – *bold out*

Article 11 Operating Budget - *bold out*

Article 12 Capital Equipment

Article 13 Closeout of Unexpended Warrant Articles

Article 14 Capital Expenditure – Dpw Sander / Dump truck

Article 15 Authorization of OPEB Trust - *bold out*

Article 16 Rescind Authorized and unissued Debt

Article 17 CCRSD Technology Stabilization Fund

Article 18 Professional Services – Council on Aging

Article 19 Professional Services – Planning Board

Article 20 Fiscal Year 2012 Stabilization Account Transfer – Debt Service

Article 21 Fiscal Year 2012 Free Cash Transfer – to Stabilization Fund

Article 22 Fiscal Year 2012 Free Cash Transfer – to support Operating Budget

Article 23 Mannis Land Survey - *bold out*

Article 24 CPA Annual Authorization - *bold out*

Article 25 Solar Bylaw - *bold out*

Article 26 Terminate Highland Building Preservation Activities - *bold out*

Article 27 Appropriate Funds to Demolish Highland Building - *bold out*

On a motion made by Mr. Stevenson and seconded Mr. Tice, it was **unanimously VOTED** to support Articles 1 through 9, 12 through 14, and 16 through 22 on the Annual Town Meeting Warrant for the Annual Town Meeting of May 9, 2011.

Board of Selectmen

April 12, 2011

Approved: May 24, 2011

Discussion:

Mr. Stevenson said he was concerned about the amount of money in Article 11. He would like to have a member of the Finance Committee come to the Board's next meeting and discuss the Budget. Mr. Williams agreed.

In regard to the OPEB article (15), Mr. Stevenson said he would like to hear more information about funding this trust. Was it necessary to fund it after it was established? The Board decided to ask Finance Director Larry Barton to come to the next meeting to provide more information on this trust and article.

The Board discussed Article 23, which was for the Mannis Land survey. It was noted that the Conservation Commission has a \$100,000 fund and Mr. Stevenson asked how funds from the Conservation Commission's \$100,000 fund could be used for this survey. Mr. Goddard said the funds cannot be directly expended for this purpose. Town Meeting can certainly transfer any amount from one fund to another for a legitimate purpose. The purpose for that fund is for land acquisition. Mr. Stevenson said he would like to talk to the Conservation Commission about this fund.

The Board then discussed Article 25, the Solar Bylaw. Mr. Stevenson said he was unaware that we were modifying the Site Plan Review Process in a different bylaw and making the process more complex. He said he cannot support the Solar Bylaw in this form. Mr. Williams said he would support this only if #1 was removed. Mr. Tice agreed with them. Mr. Williams said his sense is that the Planning Board will probably take that out.

The Board decided not to vote on supporting this article until after the Public Hearing on the Solar Bylaw. On a motion made by Mr. Stevenson and seconded by Mr. Tice, it was **unanimously VOTED** to authorize Town Administrator Timothy Goddard to notify the Planning Administrator of the Planning Board that the Board of Selectmen does not support Article 25, the Solar Bylaw, if it includes 5.8.5 with the clause No.1 and the Board of Selectmen will support the Bylaw if that clause is removed.

Articles 26 and 27 were then discussed. On a motion made by Mr. Stevenson and seconded by Mr. Tice, it was **unanimously VOTED** to oppose both Articles 26 and 27.

On a motion made Mr. Stevenson and seconded by Mr. Tice, it was **unanimously VOTED** to support Question 1 on the Town Election, to be held on May 17, 2011 [that question relating the purchase of a sand truck for the DPW].

Mr. Williams said the Board is holding Articles 10, 11, 15, 23, 24 and 25 for further discussion and information.

Town Administrator Report

Mr. Goddard said the School Building Committee has voted to recommend that the Board of Selectmen approve two (2) contracts and amendments. The first one is from Professional Services Industries, Inc., Material Testing service for \$40,000.00 and the second one is from Universal Environmental Associates, Inc., Amendment #2 for Construction Monitoring for \$37,500.00.

On a motion made by Mr. Tice and seconded by Mr. Stevenson, it was **unanimously VOTED** that upon the recommendation of the School Building Committee the Board will enter into a contract with Professional Service Industries, Inc., for materials testing services for a maximum contract limit of \$40,000.00

On a motion made by Mr. Tice and seconded by Mr. Gorecki it was **unanimously VOTED** that upon the recommendation of the School Building Committee the Board of Selectmen approves Contract Amendment #2 with Universal Environmental Associates, Inc., with a maximum contract limit of \$37,500.

Mr. Goddard attached to his report correspondence from the Secretary of State's office regarding the impact of the 2010 U.S. Census figures on re-precinct(ing). He said Carlisle's 2010 population was recorded at 4,852 persons, which was below the 6,200 maximum populations allowed for a single voting precinct. MGL's, Ch.54§6 requires the Board of Selectmen to vote affirmatively to remain as a one precinct and to sign both an authorization form and a certified copy of the vote and return it to the Secretary of State

On a motion made by Mr. Tice and seconded by Mr. Scavongelli, it was **unanimously VOTED** that pursuant to MGL, Ch. 54 §6, the Town of Carlisle wishes to remain as a single voting precinct and hereby request that the Secretary of the Commonwealth prepare a single precinct map on the Town's behalf.

Mr. Goddard said Town Clerk Charlene Hinton informed him that Board of Registrars member Seba Gaines will be retiring from the Board after serving for 12 years.

On a motion made by Mr. Stevenson and seconded by Mr. Tice it was **unanimously VOTED** in anticipation of Seba Gaines letter of resignation, thank her for her many years of service to the community of Carlisle.

The Board briefly discussed their meeting schedule for the next three months.

Mr. Goddard said he had a request from the Police Department. They have participated in the past in the CEF Auction that offers a prize of a ride to and from school for a child in a police cruiser. On a motion made by Mr. Stevenson and seconded by Mr. Tice it was **unanimously VOTED** to authorize the Police department to participate in the CEF fund raiser offering to give a ride to a student in a police cruiser.

Resignations

Mr. Goddard informed the Board that Laurel Ostram from the Personnel Board has informed her colleagues on the board that due to other commitments she will be resigning her appointment. He said therefore there will be a vacancy on the Personnel Board to fill a term to expire in 2013.

Mr. Goddard also informed the Board the Jeff Bloomfield from the Recreation Commission has submitted his letter of resignation and Greg Bondick has resigned from the Long Term Capital Requirement Committee. The Board decided to place and ad in the *Mosquito* for interested people to join the Recreation Commission, Long Term Caps. and the Personnel Board.

Liaison Reports

Mr. Williams said the Affordable Housing Trust will meet on Thursday at 7:00 p.m. He said it will be necessary to appoint Greg Peterson to the Housing Trust again.

On a motion made by Mr. Stevenson and seconded by Mr. Gorecki, it was **unanimously VOTED** to appoint Greg Peterson to the Carlisle Affordable Housing Trust for a term to end June 30, 2011.

Mr. Scavongelli said there was a pre-construction meeting last week that was attended by several committees. He said Alan Carpenito represented the Highland Building Committee. Mr. Scavongelli said the Committee is moving forward in planning the future use of the Building. Nathan Brown is taking the lead on this item by building a matrix, which will be a useful tool to help with the presentation to the Board of Selectmen.

Mr. Gorecki spoke about the Financial Management Team that met this morning. He said the Real Estate Tax bills went out on time. The Assessor reported that the abatement process is complete. He said the Town Clerk reported that the last day to register to vote at the Annual Town Meeting and Election is April 19th.

Mr. Stevenson spoke about the Special Town Meeting. He said both Articles failed. The Article rescinding the CPA failed and the Article to increase the CPA failed.

Minutes

On a motion made by Mr. Tice and seconded by Mr. Gorecki, it was **unanimously VOTED** to approve the Minutes from the Board of Selectmen meeting of March 22, 2011.

Adjournment

On a motion made by Mr. Tice and seconded by Mr. Gorecki, it was **unanimously VOTED** to adjourn the meeting at 10:30 p.m.

Respectfully submitted by Margaret deMare

